



City Council Chambers
3300 Capitol Avenue
Fremont, California

City Council

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Bob Wieckowski, Vice Mayor
Anu Natarajan
Bill Harrison
Suzanne Lee Chan

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Harvey E. Levine, City Attorney
Melissa Stevenson Dile, Deputy City Manager

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Jill Keimach, Community Dev. Director
Bruce Martin, Fire Chief
Jim Pierson, Transportation & Ops Director
Jeff Schwob, Planning Director
Suzanne Shenfil, Human Services Director
Craig Steckler, Chief of Police
Lori Taylor, Economic Development Director
Elisa Tierney, Redevelopment Director

City Council Agenda and Report [Redevelopment Agency of Fremont]

General Order of Business

1. Preliminary
 - Call to Order
 - Salute to the Flag
 - Roll Call
2. Consent Calendar
3. Ceremonial Items
4. Public Communications
5. Scheduled Items
 - Public Hearings
 - Appeals
 - Reports from Commissions, Boards and Committees
6. Report from City Attorney
7. Other Business
8. Council Communications
9. Adjournment

Order of Discussion

Generally, the order of discussion after introduction of an item by the Mayor will include comments and information by staff followed by City Council questions and inquiries. The applicant, or their authorized representative, or interested citizens, may then speak on the item; each speaker may only speak once to each item. At the close of public discussion, the item will be considered by the City Council and action taken. Items on the agenda may be moved from the order listed.

Consent Calendar

Items on the Consent Calendar are considered to be routine by the City Council and will be enacted by one motion and one vote. There will be no separate discussion of these items unless a Councilmember or citizen so requests, in which case the item will be removed from the Consent Calendar and considered separately. Additionally, other items without a "Request to Address the City Council" card in opposition may be added to the consent calendar. The City Attorney will read the title of ordinances to be adopted.



Addressing the Council

Any person may speak once on any item under discussion by the City Council after receiving recognition by the Mayor. Speaker cards will be available prior to and during the meeting. To address City Council, a card must be submitted to the City Clerk indicating name, address and the number of the item upon which a person wishes to speak. When addressing the City Council, please walk to the lectern located in front of the City Council. State your name. In order to ensure all persons have the opportunity to speak, a time limit will be set by the Mayor for each speaker (see instructions on speaker card). In the interest of time, each speaker may only speak once on each individual agenda item; please limit your comments to new material; do not repeat what a prior speaker has said.

Oral Communications

Any person desiring to speak on a matter which is not scheduled on this agenda may do so under the Oral Communications section of Public Communications. Please submit your speaker card to the City Clerk prior to the commencement of Oral Communications. **Only those who have submitted cards prior to the beginning of Oral Communications will be permitted to speak.** Please be aware the California Government Code prohibits the City Council from taking any immediate action on an item which does not appear on the agenda, unless the item meets stringent statutory requirements. The Mayor will limit the length of your presentation (see instructions on speaker card) and each speaker may only speak once on each agenda item.

To leave a voice message for all Councilmembers and the Mayor simultaneously, dial 284-4080.

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Information

Copies of the Agenda and Report are available in the lobbies of the Fremont City Hall, 3300 Capitol Avenue and the Development Services Center, 39550 Liberty Street, on Friday preceding a regularly scheduled City Council meeting. Supplemental documents relating to specific agenda items are available at the Office of the City Clerk.

The regular meetings of the Fremont City Council are broadcast on Cable Television Channel 27 and can be seen via webcast on our website (www.Fremont.gov).

Assistance will be provided to those requiring accommodations for disabilities in compliance with the Americans with Disabilities Act of 1990. Interested persons must request the accommodation at least 2 working days in advance of the meeting by contacting the City Clerk at (510) 284-4060. Council meetings are *open captioned* for the deaf in the Council Chambers and *closed captioned* for home viewing.

Availability of Public Records

All disclosable public records relating to an open session item on this agenda that are distributed by the City to all or a majority of the City Council less than 72 hours prior to the meeting will be available for public inspection in specifically labeled binders located in the lobby of Fremont City Hall, 3300 Capitol Avenue during normal business hours, at the time the records are distributed to the City Council.

Information about the City or items scheduled on the Agenda and Report may be referred to:

Address: City Clerk
City of Fremont
3300 Capitol Avenue, Bldg. A
Fremont, California 94538
Telephone: (510) 284-4060

Your interest in the conduct of your City's business is appreciated.

AGENDA
FREMONT CITY COUNCIL SPECIAL MEETING
NOTICED AS SPECIAL MEETING DUE TO EARLIER START TIME
APRIL 20, 2010
COUNCIL CHAMBERS, 3300 CAPITOL AVE., BUILDING A
6:00 P.M.
(Please note time change)

1. PRELIMINARY

- 1.1 Call to Order
- 1.2 Salute the Flag
- 1.3 Roll Call
- 1.4 Announcements by Mayor / City Manager

2. CONSENT CALENDAR

Items on the Consent Calendar are considered to be routine by the City Council and will be enacted by one motion and one vote. There will be no separate discussion of these items unless a Councilmember or citizen so requests, in which event the item will be removed from the Consent Calendar and considered separately. Additionally, other items without a "Request to Address Council" card in opposition may be added to the consent calendar. The City Attorney will read the title of ordinances to be adopted.

- 2.1 *Motion to Waive Further Reading of Proposed Ordinances*
(This permits reading the title only in lieu of reciting the entire text.)
- 2.2 *Approval of Minutes – None.*

3. CEREMONIAL ITEMS – None.

4. PUBLIC COMMUNICATIONS

- 4.1 Oral and Written Communications

REDEVELOPMENT AGENCY – None.

PUBLIC FINANCING AUTHORITY – None.

CONSIDERATION OF ITEMS REMOVED FROM CONSENT CALENDAR

5. SCHEDULED ITEMS – None.

6. REPORT FROM CITY ATTORNEY

6.1 Report Out from Closed Session of Any Final Action

7. OTHER BUSINESS

7.1 MIDTOWN DISTRICT COMMUNITY PLAN AND DESIGN GUIDELINES Update on Midtown District Community Plan and Design Guidelines

Contact Person:

Name:	Wayne Morris	Jill Keimach
Title:	Senior Planner	Director
Dept.:	Community Development	Community Development
Phone:	510-494-4729	510-494-4443
E-Mail:	wmorris@fremont.gov	jkeimach@fremont.gov

RECOMMENDATION: Provide comments and direction to staff and the consultant team on the work done to date to be outlined more specifically at the City Council Work Session and direct staff to commence with the EIR for the Midtown Project.

7.2 MIDTOWN DISTRICT LEED NEIGHBORHOOD DEVELOPMENT CERTIFICATION

Authorize the City Manager to Execute an Agreement with HOK for LEED Neighborhood Development Certification for Midtown District Community Plan in an Amount Not to Exceed \$64,300 (PLN2010-00030)

Contact Person:

Name:	Jeff Schwob	Jill Keimach
Title:	Planning Director	Director
Dept.:	Community Development	Community Development
Phone:	510-494-4527	510-494-4767
E-Mail:	jschwob@fremont.gov	jkeimach@fremont.gov

RECOMMENDATION: Authorize the City Manager or designee to enter into a contract with HOK for LEED Neighborhood Development Certification Services for a cost not to exceed \$64,300.

7.3 **BACK-IN PARKING PILOT PROJECT – CAPITOL AVENUE**
Public Hearing (Published Notice) to Introduce an Uncodified Ordinance to Allow for a Back-In Parking Pilot Project along a Portion of Capitol Avenue (PWC8520)

Contact Person:

Name:	Wayne Morris	Jill Keimach
Title:	Senior Planner	Director
Dept.:	Community Development	Community Development
Phone:	510-494-4729	510-494-4443
E-Mail:	wmorris@ci.fremont.gov	jkeimach@fremont.gov

RECOMMENDATION:

1. Hold public hearing:
2. Find that the project is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Guidelines 15301 and 15304 which exempt minor alterations of existing facilities where there is negligible or no expansion of use and minor alterations to land.
3. Waive full reading and introduce an uncodified ordinance to authorize a one-year pilot program for back-in vehicle parking along a portion of Capitol Avenue.

7.4 **GENERAL PLAN 2030 – COMMUNITY CHARACTER ELEMENT**

Contact Person:

Name:	Scott Ruhland	Jeff Schwob
Title:	Associate Planner	Planning Director
Dept.:	Community Development	Community Development
Phone:	510-494-4453	510-494-4527
E-Mail:	sruhland@fremont.gov	jschwob@fremont.gov

REQUESTED OUTCOME OF THE WORK SESSION: Staff seeks feedback to assist in preparation of a draft element.

8. COUNCIL COMMUNICATIONS

- 8.1 Council Referrals – None.
- 8.2 Oral Reports on Meetings and Events

9. ADJOURNMENT



6.1 Report Out from Closed Session of Any Final Action

7.1 MIDTOWN DISTRICT COMMUNITY PLAN AND DESIGN GUIDELINES

Update on Midtown District Community Plan and Design Guidelines

Contact Person:

Name:	Wayne Morris	Jill Keimach
Title:	Senior Planner	Director
Dept.:	Community Development	Community Development
Phone:	510-494-4729	510-494-4443
E-Mail:	wmorris@fremont.gov	jkeimach@fremont.gov

Executive Summary: In December 2009 a Work Session was held with the City Council to provide an update on the work completed to date on the Midtown District Community Plan and Design Guidelines. The presentation focused on the street and block pattern, streetscape and street sections, parking policies, land use, retail precedents, civic spaces, street furnishings and the concept of back-in parking. Since the December Work Session staff and the consulting team have made significant progress on the plan and design guidelines. This report outlines the work that has been completed to date, seeks direction on various aspects of the project, and highlights the next steps.

BACKGROUND: In March 2009, City staff and TMG Partners, the City's development partner for the Midtown District, made a presentation to the City Council on a vision for the Midtown District and possible next steps. In concert with City staff, TMG Partners recommended that a development plan for streetscape improvements, building forms and character, land use ranges, and design guidelines be prepared and environmentally reviewed in order to set the stage for development to move quickly once the economy recovers. At the same time, the City Council approved the team's recommendation that these planning efforts look at a larger area ("Midtown") rather than the previously defined Capitol Avenue Project area. In September 2009 the City Council authorized the City Manager to enter into an agreement with HOK Architects as the Lead Consultant for the development of the Midtown District Community Plan and Design Guidelines and perform the associated environmental analysis.

Most recently, at the December 15, 2009 City Council Work Session, HOK made a presentation to the City Council on work that had been completed to date. The HOK presentation focused on street and block pattern, streetscape and street sections, parking policies land use, retail precedents, civic spaces, street furnishings and the concept of back-in parking.

The boundaries of this new Midtown District (see Exhibit A) are co-terminus with the "Focus Area" outlined in the Central Business District Concept Plan adopted in 2001. The vision for the Focus Area in the Central Business District Concept Plan is to create a hub of activity by having the area "contain a mix of uses including retail, offices, entertainment, open space, and cultural arts organized around a main street. This main street, to be constructed on Capitol Avenue and an extension of it to Fremont Boulevard, will be an attractive place to shop, stroll, and dine, and will become the true center to the focus area." The Concept Plan further describes the area as centered around new Fremont Administrative Offices and a Public Plaza as well as a new Cultural Arts Center.

The Concept Plan implements several policies of the General Plan, in particular Policy LU 2.7, which states, "Site design and building development in the Central Business District shall be oriented toward

pedestrians and transit. To maintain an active pedestrian environment, buildings oriented towards streets, sidewalks or public plazas shall be strongly encouraged. Retail uses shall be encouraged at the ground level.” The Central Business District Concept Plan includes the following set of goal statements that will be addressed in more detail in the Midtown District Community Plan and Design Guidelines:

- To create a recognizable and memorable Downtown that people can take pride in and where people want to go.
- To create a Downtown comprised of a mix of land uses including mixed-use buildings, housing, offices, retail, government/civic uses, entertainment, open space/parks, and cultural arts.
- To improve streetscape design.
- To improve amenities for pedestrians, particularly in the Downtown focus area, through design approaches such as street narrowing and locating buildings at the street edge.
- To improve connections to the BART station.
- To encourage a network of public and private, strategically placed parking facilities.
- To encourage the use of energy efficiency in building technology.
- To support economic vitality, particularly for small businesses.
- To reflect history, as appropriate, and Fremont’s cultural diversity in the design and development of the Downtown.

DISCUSSION/ANALYSIS: In September 2009 HOK was brought on board to head a multidisciplinary consultant team to focus attention on the development of the Midtown District Community Plan and Design Guidelines. This consultant team includes BKF Engineering; the Guzzardo Partnership (landscape architect); Nelson Nygaard (parking and transportation); Chandra Cerrito (art); Ross/Luthin Creative (signage); and Lynn Simon Associates (LEED). Additionally, TMG Partners and City staff have assisted and participated in the development of proposed plan elements.

Next Steps: The current economic climate makes it virtually impossible to obtain credit or capital or to plan reliably to develop a specific project. As such, it is impractical to prepare a development pro forma, business plan or finance plan at this time. The City can, however, begin the planning process in the area to allow development to move forward quickly once the economy recovers. In particular, the Community Plan and Design Guidelines and associated environmental analysis will accomplish two critical items:

1. Provide certainty to the development community as to what and how much can be built (i.e., street design, building design, and building “envelope” through form-based zoning); and
2. Eliminate time and expense in the development process by completing a program level Environmental Impact Report, which could save a developer up to \$250,000 each in costs and a year in the entitlement schedule. Having design guidelines already established and adopted by the Council will help clarify, implement, and expedite the vision and entitlement process for future development.

Community Plan and Design Guidelines Update: The past several months have been spent providing updates to City Boards and Commissions as well as holding a community and property owners meeting to gain input on the draft components. Additionally, the consultant team and staff continue to develop and refine various components to the Community Plan including:

- Development scenarios
- Market feasibility
- Form-based zoning
- Maximum and minimum development intensities
- Parking standards
- Streetscape and roadway Preliminary Traffic Analysis
- Private Art approach options
- State Street – Striping Pilot Project
- Capitol Avenue – Back-In Parking Pilot Project
- LEED Neighborhood Development
- Evaluation of grant/funding opportunities

The final Community Plan document will be organized around the following subjects:

- Project Goals
- District Framework
- Development Blocks
- Streets & Open Space
- Utilities & Infrastructure
- Design Guidelines
- Implementation

The Midtown District Community Plan and Design Guidelines will be a mixed-use, urban design plan that establishes the desired physical vision for the Midtown District through a clear and comprehensive set of policies, incentives, and requirements. The Plan will establish a coherent and consistent regulatory framework incorporating physical standards and design guidelines. It will establish land use development envelopes that can respond to changing market conditions; policies for economic development; design concepts for “green” and pedestrian-oriented streetscapes; private and public shared parking plans; short and long term transit plans; pedestrian amenities; open space and civic uses; and public art.

FISCAL IMPACT: None.

ENVIRONMENTAL REVIEW: While the Community Plan and Design Guidelines are being drafted, there will be an environmental assessment (Environmental Impact Report) performed as well. This effort will begin after the April 20 City Council meeting at which time the City Council will provide direction on the overriding concepts and guide the analysis. Staff anticipates that the EIR will be completed in Fall of 2010.

ENCLOSURE: [Exhibit A, Map of Midtown District](#)

RECOMMENDATION: Provide comments and direction to staff and the consultant team on the work done to date to be outlined more specifically at the City Council Work Session and direct staff to commence with the EIR for the Midtown Project.

7.2 MIDTOWN DISTRICT LEED NEIGHBORHOOD DEVELOPMENT CERTIFICATION
Authorize the City Manager to Execute an Agreement with HOK for LEED Neighborhood Development Certification for Midtown District Community Plan in an Amount Not to Exceed \$64,300 (PLN2010-00030)

Contact Person:

Name:	Jeff Schwob	Jill Keimach
Title:	Planning Director	Director
Dept.:	Community Development	Community Development
Phone:	510-494-4527	510-494-4767
E-Mail:	jschwob@fremont.gov	jkeimach@fremont.gov

Executive Summary: On December 15, 2009, HOK and their subconsultants, in coordination with the City's development partner, TMG Partners, provided an update on the Midtown Community Plan and Design Guidelines project. One of the plan elements discussed at the meeting was consideration of LEED Neighborhood Development (LEED ND) certification. During the presentation, the consultants noted that their preliminary analysis showed that certification of the Midtown Community Plan would be feasible given the City Council's vision and direction thus far. The City Council, in turn, directed that LEED ND certification be pursued.

BACKGROUND: On September 8, 2009, the City Council authorized the City Manager to enter into an agreement with HOK Architects for completion of the Midtown District Community Plan and Design Guidelines. This report proposes a companion agreement for the completion of LEED ND Certification Services. The cost for preparation of the LEED ND Certification is for an amount not to exceed \$64,300.

At the December 15, 2009 City Council meeting, HOK and TMG Partners, the City's development partner for the Midtown District, made a presentation to the City Council on the work completed to date for the Midtown District including: street and block patterns, street sections, streetscape improvements, land use, and building forms and character/design guidelines. Additionally, during this presentation, the consultant team noted that the Midtown Community Plan would be a candidate for LEED ND Certification, consistent with the City Council's early direction that development should achieve sustainability goals. The City Council, in turn, directed that LEED ND certification be pursued.

DISCUSSION/ANALYSIS: The United States Green Building Council (USGBC) has developed the LEED ND Certification process to recognize both individual developments, as well as area planning efforts such as the proposed Midtown Community Plan and Design Guidelines, as a means of achieving sustainable developments and communities.

LEED is an internationally recognized green building certification system, providing third-party verification that a building or community was designed and built using strategies aimed at improving performance across all the metrics that matter most: energy savings, water efficiency, CO₂ emissions reduction, improved indoor environmental quality, and stewardship of resources and sensitivity to their impacts. LEED provides building owners and operators with a concise framework for identifying and implementing practical and measurable green building design, construction, operations and maintenance solutions. LEED is flexible enough to apply to all building types – commercial as well as residential. It

works throughout the building lifecycle – design and construction, operations and maintenance, tenant improvements, and significant retrofit. LEED for Neighborhood Development extends the benefits of LEED beyond the building footprint into the neighborhood it serves.

Consultant Selection: Staff chose HOK as the consultant best positioned to complete the LEED ND Certification services because of their knowledge and work on the Midtown Community Plan. HOK was chosen through a competitive process to prepare the Midtown Community Plan and Design Guidelines, which is currently underway. City staff also believes it is critically important to integrate the LEED certification work with that of the Community Plan and, as such, found considerable cost savings in having the same team prepare both the Plan and LEED certification work. This integration will ensure that both projects will be able to proceed in a timely and cost effective manner.

FISCAL IMPACT: The cost of the LEED Neighborhood Development Certification Services component for the Midtown Community Plan and Design Guidelines is not to exceed \$64,300. Funds are available from monies allocated in previous fiscal years toward this project in Fund 501 (Capital Projects General Fund).

ENVIRONMENTAL REVIEW: An EIR will be prepared for the Midtown Community Plan and Design Guidelines. The LEED ND certification work will be coordinated as part of this planning effort and reflected in the EIR.

Conclusion: The Midtown District will be a mixed-use, urban design plan that establishes the desired physical vision for the area through a clear and comprehensive set of policies, incentives, and requirements. The Plan will establish a coherent and consistent regulatory framework of physical standards and design guidelines. It will establish land use development envelopes that can respond to changing market conditions; policies for economic development; design concepts for “green” and pedestrian-oriented streetscapes; private and public shared parking plans; pedestrian amenities; open space and land use; civic uses; and public art. The companion LEED ND certification allow the City, development team and property owners to promote the Midtown District as a green and sustainable community while taking advantage of long term benefits provided by improved sustainability created by the LEED ND framework. The City of Fremont’s Midtown Project is expected to be one of the first projects certified under the new LEED ND guidelines.

ENCLOSURE: [Scope of Work for LEED ND Certification Services](#)

RECOMMENDATION: Authorize the City Manager or designee to enter into a contract with HOK for LEED Neighborhood Development Certification Services for a cost not to exceed \$64,300.

7.3 BACK-IN PARKING PILOT PROJECT – CAPITOL AVENUE

Public Hearing (Published Notice) to Introduce an Uncodified Ordinance to Allow for a Back-In Parking Pilot Project along a Portion of Capitol Avenue (PWC8520)

Contact Person:

Name:	Wayne Morris	Jill Keimach
Title:	Senior Planner	Director
Dept.:	Community Development	Community Development
Phone:	510-494-4729	510-494-4443
E-Mail:	wmorris@ci.fremont.gov	jkeimach@fremont.gov

Executive Summary: In December 2009 a Work Session was held with the City Council to provide an update on the Midtown District Community Plan and Design Guidelines Project. One of the items that was discussed and reviewed at the Work Session related to the idea of allowing as a pilot program back-in parking along a portion of Capitol Avenue. The City Council is being asked to consider the adoption of an uncodified ordinance of the City of Fremont to authorize a one-year pilot program to allow back-in parking along a portion of Capitol Avenue. The pilot program would allow staff and the community sufficient time to determine if back-in parking is something that should be implemented through the Midtown District Community Plan & Design Guidelines. Cities throughout the country are increasingly establishing back-in parking zones for safety and economic development purposes.

BACKGROUND: In March 2009, TMG Partners, the City's development partner for the Midtown District, made a presentation to the City Council highlighting a vision for the District. In concert with City staff, TMG Partners recommended that a development plan for streetscape improvements, building forms and character, land use ranges, and design guidelines be prepared and environmentally cleared in order to set the stage for development to move quickly once the economy recovers. At the same time, the City Council approved the recommendation brought forth that these planning efforts look at a larger area (Informational 1), rather than the previously defined Capitol Avenue Project.

In September 2009 the City Council authorized the City Manager to enter into an agreement with HOK Architects as the Lead Consultant for the development of the Midtown District Community Plan and Design Guidelines and perform the associated environmental analysis. The Community Plan & Design Guidelines and associated environmental analysis are to accomplish two critical items:

- Provide certainty to the development community as to what and how much can be built (i.e. street design, building design,, and building “envelope”) and
- Eliminate time and expense in the development process by completing a program level Environmental Impact Report. Having design guidelines already established and adopted by the Council will help clarify and expedite the vision and entitlement process of future projects.

Most recently, at the December 15, 2009 City Council Work Session, HOK as the lead consultant on the Midtown Project , made a presentation to the City Council on work that had been completed to date, received direction on various aspects of the project and highlighted the next steps. The HOK presentation focused on street & block pattern, streetscape & street sections, parking policies, land use, retail precedents, civic spaces, street furnishings and the concept of back-in parking. During the City

Council Work Session presentation, staff indicated that a future work item would be to propose as a pilot program back-in parking along a portion of Capitol Avenue to see how this new concept of parking would work in Fremont.

DISCUSSION/ANALYSIS: During the City Council Work Session held in December 2009, staff heard members of the City Council express interest and openness to the idea of allowing as a pilot project back-in parking along Capitol Avenue. This pilot project would last for one year and would provide staff and the citizens of Fremont the opportunity to see if this relatively new approach to parking functions appropriately. The pilot program would begin this summer as part of the City's federal stimulus resurfacing project. Installing the pilot project on Capitol Avenue should allow the public sufficient time and space to complete the necessary back-in parking maneuvers, since Capitol Avenue is currently not a heavily traveled roadway. By implementing this back-in pilot project staff will be able to gather the necessary information and analyze the various forms of data to see if back-in parking is what should be recommended for the full reach of Capitol Avenue, through the Midtown District Community Plan and Design Guidelines. At the end of the pilot program, staff will report back to the City Council with the findings and a recommendation to either extend the program or discontinue it.

Staff has determined that the current parking ordinances of the City of Fremont neither consider nor provide staff the authority to implement the back-in parking pilot program without receiving City Council approval. The current parking ordinance only deals with parallel and head-in diagonal parking, since these were the conventional methods of parking when the parking ordinance was drafted. The City's parking ordinance also specifies the specific location and type of parking that is allowed on a public street. Therefore, the ordinance will establish as a pilot program back-in parking along a portion of Capitol Avenue and authorize appropriate striping and installation of signs required to inform citizens of the type of parking that is to happen in the area. Exhibit "A" highlights the area along Capitol Avenue where the pilot program will be implemented and indicates the proposed signage that will be installed.

In recent years back-in parking has increased steadily in many cities across North America, such as the City of Vancouver WA, Kelowna BC, Canada, Seattle WA, and Portland OR. The benefits of back-in parking are noted to be superior to typical head-in or parallel parking methods that we typically see on our streets today. The safety benefits to back-in parking when leaving a parking space are primarily due to better visibility (Informational 2 – Figure 1). This is important when parking on a busy street or where drivers find their views blocked by large vehicles, or in adjacent vehicles in the case of head-in parking. It is also better to use back-in parking if a bicycle lane is striped behind the parking spaces as is being proposed along Capitol Avenue in the Midtown Plan. In other words, drivers do not back blindly into an active traffic or bike lane. It should also be noted that back-in parking maneuver is typically easier to do than a parallel parking maneuver. Back-in parking also directs occupants of the vehicle toward the sidewalk since the open doors block access to the street; this is a significant safety benefit for children. Back-in parking also places the trunk of the car at the curb, which is a safety benefit when loading, or unloading a car, rather than being in the street with moving vehicles (Informational 2 – Figure 2). Exhibit A to the staff report highlights the area of Capitol Avenue that will be restriped to accommodate the back-in parking pilot project. Capitol Avenue is of sufficient width that the back-in parking spaces and one lane in each direction can be accommodated within the current street width. If approved, staff anticipates that the pilot project would be implemented by early June 2010.

Community Outreach: One of the critical aspects of this project is to receive community input and feedback on the pilot program in order to determine if the citizens will accept back-in parking as a form of on-street parking in the future. The on-site signs that are to be installed as part of the pilot program (Exhibit “A”) will have a contact number to allow citizens to call and provide their comments. Staff has also prepared a back-in parking pamphlet (Informational 3) which will provide citizens with information on the pilot program. Finally, an article will be placed on the City’s website outlining the benefits of back-in parking and will seek community input on the pilot program.

FISCAL ANALYSIS: The restriping of Capitol Avenue and the installation of signs as identified on Exhibit “A” will cost approximately \$12,000.00. The monies will be taken from the Midtown Project PWC account.

ENVIRONMENTAL REVIEW: This project is exempt under the California Environmental Quality Act (CEQA) Guideline Sections 15301 and 15304 which exempt minor alterations to existing facilities involving negligible or no expansion of use, and minor alterations to land. The project causes no change to the environment as the streets already exist and the project will not expand the use of the street.. The proposed re-striping will occur within the existing asphalt width and would not alter the primary function of Capitol Avenue.

Public Notice and Comment: A total of 125 notices were mailed to owners of all the properties within the Midtown District and those that directly abut the District. These notices were mailed out by the *Planning Division* on Thursday, April 8, 2010. A Public hearing Notice was also published in *The Tri-City Voice* on this same date. The notices that were mailed to the property owners indicated that the City Council would be reviewing the following items on April 20, 2010:

- Midtown District Community Plan and Design Guidelines Update – City Council Work Session,
- Authorizing to enter into a contract for LEED ND for Midtown Project Area, and
- Adoption of an Uncodified Ordinance of the City of Fremont to authorize a one-year program for back-in parking along a portion of Capitol Avenue.

ENCLOSURES:

Exhibits:

- [Exhibit “A” Draft Ordinance](#)

Informational:

- [Map of Midtown District](#)
- [Line of Sight & Vehicle Loading](#)
- [Back-In Parking Pamphlet](#)

RECOMMENDATION:

1. Hold public hearing:
2. Find that the project is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Guidelines 15301 and 15304 which exempt minor alterations of existing facilities where there is negligible or no expansion of use and minor alterations to land.
3. Waive full reading and introduce an uncodified ordinance to authorize a one-year pilot program for back-in vehicle parking along a portion of Capitol Avenue.

7.4 GENERAL PLAN 2030 – COMMUNITY CHARACTER ELEMENT

Contact Person:

Name:	Scott Ruhland	Jeff Schwob
Title:	Associate Planner	Planning Director
Dept.:	Community Development	Community Development
Phone:	510-494-4453	510-494-4527
E-Mail:	sruhland@fremont.gov	jschwob@fremont.gov

PURPOSE OF THE WORK SESSION: The purpose of the work session is to present staff's proposed approach to the new Community Character Element of General Plan 2030. The Community Character Element is intended to guide future developers, builders, and City staff regarding the look and feel that the City is trying to achieve in various locations and place types. Staff seeks Council input regarding the proposed organization and contents of the element.

POLICY ISSUES/ANALYSIS: Over the past several months, staff has made a number of presentations to Council regarding the draft General Plan. Staff presented a summary of major themes in the Plan using the draft "Vision Book" as a guide. Staff subsequently gave an overview of the new Sustainability Element, which serves as an index to sustainability throughout the draft General Plan and touches on many of the significant changes found in the Plan. Next, staff presented draft land use designations, the draft General Plan Land Use Map, and draft Land Use Goals and Policies for Council review and input. Most recently, staff presented goals and policies from the Mobility Element.

Tonight's presentation will focus on the new Community Character Element and describing center & corridor place types. Community Character is closely related to Land Use and Mobility. Whereas the draft Land Use Map and draft Circulation Diagram provide a two-dimensional representation of the vision for Fremont, the Community Character Element attempts to translate these maps and diagrams into a three-dimensional look and feel for various locations throughout the City.

Staff has prepared overarching draft goals and policies for the Element in order to provide a framework for Council discussion and input. The broad concepts are outlined below, with the draft policies included as an enclosure.

I. CITY STRUCTURE AND IDENTITY

Structure and Identity

Enhance community identity by focusing development in distinctive places, centers, corridors and neighborhood, within urbanized areas while protecting and enhancing the City's open space frame

II. URBAN FORM AND DESIGN

Character through Sustainable Design

Distinctive community character and identity by requiring sustainable architectural, landscape and urban design excellence in the built environment

Complete Neighborhoods

A city of distinct neighborhoods with both traditional and innovative residential designs that are well linked to adjacent centers and districts through attractive multi-modal corridors

Distinctive Centers

Commercial and employment centers that provide desirable shopping and working environments by creating a sense of place through defined spaces, buildings and urban design elements.

Attractive Corridors

Corridors that provide multi-modal transportation opportunities while creating a sense of place through defined spaces and streetscapes, building orientation, urban design, and attractive street furniture

III. URBAN DESIGN FEATURES

Design Feature

Urban features designed and located in a manner that improves that character and identity of the City and fosters a sense of place

IV. HISTORIC AND CULTURAL RESOURCES

Historic Design Framework

Conservation and enhancement of Fremont's heritage into the 21st century and beyond.

Staff will use this input to prepare the draft Community Character Element as part of the working draft General Plan scheduled for release in June 2010.

REQUESTED OUTCOME OF THE WORK SESSION: Staff seeks feedback to assist in preparation of a draft element.

ENCLOSURES:

- [Draft Element Outline](#)
- [Draft Goal and Policy Topics](#)
- [Center and Corridor "Place Type" Diagrams](#)

8.1 Council Referrals – None.

8.2 Oral Reports on Meetings and Events

ACRONYMS

ABAG.....	Association of Bay Area Governments	FUSD	Fremont Unified School District
ACCMA.....	Alameda County Congestion Management Agency	GIS	Geographic Information System
ACE	Altamont Commuter Express	GPA.....	General Plan Amendment
ACFCD	Alameda County Flood Control District	HARB	Historical Architectural Review Board
ACTA	Alameda County Transportation Authority	HBA	Home Builders Association
ACTIA	Alameda County Transportation Improvement Authority	HRC	Human Relations Commission
ACWD	Alameda County Water District	ICMA	International City/County Management Association
BAAQMD	Bay Area Air Quality Management District	JPA	Joint Powers Authority
BART	Bay Area Rapid Transit District	LLMD	Lighting and Landscaping Maintenance District
BCDC	Bay Conservation & Development Commission	LOCC	League of California Cities
BMPs	Best Management Practices	LOS	Level of Service
BMR	Below Market Rate	MOU	Memorandum of Understanding
CALPERS.....	California Public Employees' Retirement System	MTC	Metropolitan Transportation Commission
CBD	Central Business District	NEPA	National Environmental Policy Act
CDD	Community Development Department	NLC.....	National League of Cities
CC & R's	Covenants, Conditions & Restrictions	NPDES.....	National Pollutant Discharge Elimination System
CDBG	Community Development Block Grant	NPO.....	Neighborhood Preservation Ordinance
CEQA	California Environmental Quality Act	PC.....	Planning Commission
CERT	Community Emergency Response Team	PD	Planned District
CIP	Capital Improvement Program	PUC	Public Utilities Commission
CMA	Congestion Management Agency	PVAW	Private Vehicle Accessway
CNG.....	Compressed Natural Gas	PWC.....	Public Works Contract
COF	City of Fremont	RDA	Redevelopment Agency
COPPS	Community Oriented Policing and Public Safety	RFP	Request for Proposals
CSAC.....	California State Association of Counties	RFQ.....	Request for Qualifications
CTC	California Transportation Commission	RHNA	Regional Housing Needs Allocation
dB	Decibel	ROP.....	Regional Occupational Program
DEIR.....	Draft Environmental Impact Report	RRIDRO.....	Residential Rent Increase Dispute Resolution Ordinance
DO	Development Organization	RWQCB	Regional Water Quality Control Board
DU/AC.....	Dwelling Units per Acre	SACNET	Southern Alameda County Narcotics Enforcement Task Force
EBRPD	East Bay Regional Park District	SPAA	Site Plan and Architectural Approval
EDAC	Economic Development Advisory Commission (City)	STIP	State Transportation Improvement Program
EIR.....	Environmental Impact Report (CEQA)	TCRDF.....	Tri-Cities Recycling and Disposal Facility
EIS	Environmental Impact Statement (NEPA)	T&O	Transportation and Operations Department
ERAF	Education Revenue Augmentation Fund	TOD	Transit Oriented Development
EVAW	Emergency Vehicle Accessway	TS/MRF	Transfer Station/Materials Recovery Facility
FAR	Floor Area Ratio	UBC	Uniform Building Code
FEMA.....	Federal Emergency Management Agency	USD.....	Union Sanitary District
FFD.....	Fremont Fire Department	VTa	Santa Clara Valley Transportation Authority
FMC.....	Fremont Municipal Code	WMA	Waste Management Authority
FPD.....	Fremont Police Department	ZTA.....	Zoning Text Amendment
FRC.....	Family Resource Center		

**UPCOMING MEETING AND CHANNEL 27
BROADCAST SCHEDULE**

<i>Date</i>	<i>Time</i>	<i>Meeting Type</i>	<i>Location</i>	<i>Cable Channel 27</i>
April 27, 2010	7:00 p.m.	City Council Meeting	Council Chambers	Live
May 3, 2010	4:00 p.m.	Joint City Council/FUSD Board Meeting	Council Chambers	Live
May 4, 2010	7:00 p.m.	City Council Meeting	Council Chambers	Live
May 11, 2010	7:00 p.m.	City Council Meeting	Council Chambers	Live
May 18, 2010	TBD	Work Session	Council Chambers	Live
May 25, 2010	7:00 p.m.	City Council Meeting	Council Chambers	Live
June 1, 2010	7:00 p.m.	City Council Meeting	Council Chambers	Live
June 8, 2010	7:00 p.m.	City Council Meeting	Council Chambers	Live
June 15, 2010	TBD	Work Session	Council Chambers	Live
June 22, 2010	7:00 p.m.	City Council Meeting	Council Chambers	Live
June 29, 2010 (5 th Tuesday)	TBD	No City Council Meeting		
July 6, 2010	7:00 p.m.	City Council Meeting	Council Chambers	Live
July 13, 2010	7:00 p.m.	City Council Meeting	Council Chambers	Live
July 20, 2010	TBD	Work Session	Council Chambers	Live
July 27, 2010	7:00 p.m.	City Council Meeting	Council Chambers	Live
		August Recess		